

A SHADOW REPORT SUBMITTED TO THE

Office of the High Commissioner for Human Rights
On the occasion of Uganda's 2nd Cycle Universal Peer Review
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Emerging Concerns on Right to Food in Uganda 2011-2015

PREPARED AND SUBMITTED BY:

Cluster for Right to Food in Uganda under Economic, Social and Cultural Rights and
CSO National Stakeholders' Forum for the UPR
C/O- HUNGER FIGHTERS UGANDA (HFU)
Sir Apollo Kagga Road,
1ST Floor BIRO HOUSE Opposite Makerere Business Institute
P. O Box 28175, Kampala, Uganda.

www.hungerfightersuganda.org, info@hungerfightersuganda.org rim@hurinet.or.ug

Submitting Organizations are



Real Agency for Community Development (RACD)



A Note on the Methodology of the Present Submission

1. This report has been endorsed by a group of NGOs operating in Uganda on issues revolving around the right to food and other nutrition related aspects. Together these NGOs form the Right to Food cluster operating under the auspices of the Economic, Social and Cultural Rights of the National Stakeholders' Forum on the UPR, a loose collection of Civil Society Organizations in Uganda working on UPR. The report is a result of two meetings which were held to raise the issues captured herein. The draft report was subjected to scrutiny by members of cluster to come up with the final copy submitted. The report discusses the emerging issues under the right to food and proposes various recommendations to improve the situation. Members of the cluster are listed above and in a list attached as appendix 'A'.

EXECUTIVE SUMMARY

2. The Right to Food is a basic need of human kind irrespective of age and size. The right to adequate food can only be realized when every man, woman and child, alone or in community with others, have physical and economic access at all times to adequate food or means for its procurement (UN 1999).
3. Indisputably, food is recognized as a fundamental right of everyone necessary for guarantee of human wellbeing and health. The Right to Food has been duly recognized under the International Human Rights Laws and has been promoted by States and Interstate organizations. Its contemporary origin lies within the Universal Declaration of Human Rights (UDHR) under Article 25 which states amongst others that “everyone has the right to a standard of living adequate for the health and wellbeing of himself and his family, including food”.
4. The International Covenant on Economic, Social and Cultural Rights (ICESCR) under its Article 11(1) also aptly provides for the right of everyone to an adequate standard of living including adequate food. Article 11(2) of the ICESCR further stresses and recognizes the need for more immediate and urgent steps to ensure the fundamental right to freedom from hunger and malnutrition. A number of policies have been formulated to support the right to food.
5. In this report makes recommendations aimed at improving the policy and legal environment to allow the promotion of the right to food specifically the need to urgently pass the food and nutrition bill and compulsory school feeding policy, increasing funding for the agriculture sector, promoting extension services and climate change mitigation measures.

BACKGROUND

6. Uganda is one those countries experiencing food insecurity. According to the Comprehensive Food Security and Vulnerability Assessment (CFSVA) 2013, almost half (48%) of Ugandans were found to be food energy deficient between September 2009 and August 2010. This was spiked at 59% in northern Uganda as the most food insecure region. Nationally, 6.3% households are estimated to be surviving on one meal a day.ⁱ It is also estimated that 33.7% of the children in Uganda are stunted, 10.2% of all infants have low birth weight, 4.8% have low birth weight and 3.8 are overweight, and 26.7% women of reproductive age (15 - 49 years) are anemic.ⁱⁱ Besides, setting policies, the role of government is ensure that all citizens have the right food at all times for productive and health lives. Despite its efforts in this direction more innovative and sustainable measures need to be instituted to realize the right to food for all citizens.

7. The Semi-arid regions, in particular, Karamoja and Teso Sub-regions suffer from chronic food insecurity as a result of drought and intermittent rains the resultant being famines. In Karamoja, approximately 103, 000 people faced severe food insecurity and 248,000 were under stress due to extended periods without rain.ⁱⁱⁱ Despite the provision of emergency food aid in these regions, residents continue to suffer from acute malnutrition requiring emergency intervention.
8. School meals: Majority of the school going children and teachers go to school without a day meal. The Government of Uganda's efforts to improve Universal Primary and Secondary Education has remained at balance partly because of lack of clearly delineated commitment from either the parents or government on who should feed the children in school. Between 2004 and 2005 the completion rate for boys fell from 72% to 54%. And, for girls it fell from 54% in 2004 to 42% in 2006^{iv} and later improving to 54% in 2010.^v In some districts, the completion rate is even lower than 40%. According to the education Act 2008, Article 13 (c), the responsibility of feeding children lies in the hands of the parents. Even in such an arrangement, the framework is not well defined.
9. In 2011, Uganda underwent the first Universal Periodic Review (UPR) and the major recommendations on the right to food included; implementation of policies to support food production, access to credit and school meals programs linked to local food production." The country is yet to fully realize these goals. Despite government efforts to improve production, there still a lot of bottlenecks including limited financing and knowledge and skill for the farmer. The aspect of school meals remains unattended to as the responsibility is placed under the parents as specified in Section (c) of the Uganda Education Act 2008. This has contributed to high rates of school dropouts and poor performance in school. Chronic food insecurity therefore makes state provision of school meals imperative

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II. WEAK POLICY AND LEGAL FRAMEWORK ON THE RIGHT TO FOOD

10. Despite the various policies put in place and those ratified by the Government of Uganda there are significant implementation challenges which have hindered

their full operationalization including the lack of relevant legislations or binding legal framework. There is a draft Food and Nutrition Bill (2008) still at ministry level (Ministry of Agriculture), but it does not appear to be on track to be passed. Without a legal framework to implement the international and constitutional obligations on the right to food, it will be difficult to enforce and monitor the country's realization of the right to food. This affects the operationalisation of the food and nutrition council which is supposed to oversee the implementation of national food and nutrition related policies.

11. Majority of the school going children and teachers go to school without a day meal. The Government of Uganda's efforts to improve Universal Primary and Secondary Education has remained at balance partly because of lack of clearly delineated commitment from either the parents or government on who should feed the children in school. Between 2004 and 2005 the completion rate for boys fell from 72% to 54%. And, for girls it fell from 54% in 2004 to 42% in 2006 and later improving to 54% in 2010. In some districts, the completion rate is even lower than 40% and this can partly be attributed to lack of school meals. According to the Education Act 2008, Section 2 (c), the responsibility of feeding children lies in the hands of the parents. Even in such an arrangement, the framework is not well defined. Therefore, lack of school feeding lowers the cognitive capacity of the school going children, the enrolment, attendance, completion rates and generally performance in class.

Recommendations

12. The government should strengthen the legal and policy framework on food by expediting the passing of the Food and Nutrition Bill 2008 and ensuring the policies in place address the needs of remote communities that are vulnerable to famine and who often require targeted recommendations.
13. The government of Uganda should urgently set up compulsory school feeding programs at all schools in order to protect the right of children to food and education. This requires increasing funding to the education sector specifically for school feeding.

III. INADEQUATE FINANCING TO THE AGRICULTURAL SECTOR

14. Inadequate financing to the agriculture sector hinders the realization of the right to food in Uganda. The actual budget for agriculture has not exceeded 4% for the last one decade.^{vi} Yet, Uganda is a signatory to the 2003 Maputo declaration, which requires that all parties to the agreement to make commitment to “increase public investment in agriculture by a minimum of 10% of their national budgets” and to “improve the productivity of agriculture to attain an average annual

growth rate of 6%, with particular attention to small-scale farmers, especially focusing on women,” by the year 2015.

15. In addition, there is limited access to the affordable credit facilities to finance agricultural investments. The current commercial banking and Micro-finance credit facilities are given at high interest rates with short term repayment periods. The government has been slow in building strong farmer cooperative institutions through which credit can be mobilized and some of a few existing ones are suffering from management challenges rendering them ineffective.

Recommendations

16. The government should increase the budgetary allocations provided for agriculture by at least 10% to enhance food production in an effort improve food security and take measures to ensure that funds allocated are released on time and are well managed.
17. The government should put in place affordable and accessible credit facilities for farmers to stimulate agricultural production for example establishing the National Agricultural Bank and setting up and strengthening farmer cooperatives.

IV. ACCESS TO QUALITY AGRICULTURAL EXTENSION SERVICES

18. Since the launch of the National Agricultural Advisory Services (NAADS) in 1997, extension services have stagnated. When provided, the quality of the services provided has been wanting. Additionally, on many occasions the government has suspended the programme due to mismanagement of resources allocated to the programme. Consequently farmers have been denied the right to information vital to increase food production and quality management. With introduction of Operation Wealth Creation, extension service provisions in the country have remained unattended to. And, whereas there is a new draft policy on Agricultural extension, it has not yet been passed

Recommendations

19. Government needs to urgently pass a harmonized National Agricultural Extension Service Policy;
20. There is need to streamline agricultural extension services by making sure that the people with specific skills handle specific agricultural services at different levels. The services should be become people centered and actively engage in participatory monitoring and accountability practices of the services given. There

should be four (4) Extension service providers including; a crop scientist, animal scientist, a natural resources expert and on last on agri-business.

21. There is need to implement strict monitoring and accountability mechanism for the available services for resources allocated to provide public services.

5. CLIMATE CHANGE AND FOOD SECURITY SHOCKS

22. With the increasing devastating effects of climate change on food production, many people are vulnerable to hunger. In Semi-arid and drought prone areas like Karamoja and cattle dry corridors people in Uganda are vulnerable to hunger, malnutrition and disasters against the Article 245 of the constitution on protection and preservation of the environment national objective XXVII of the Uganda constitution which states that; “the State shall promote sustainable development and public awareness of the need to manage land, air and water resources in a balanced and sustainable manner for the present and future generations.”^{vii}

Recommendation:

23. The government should invest in climate smart agriculture to tackle the effects of climate change through integrated water, forest, land and other natural resources conservation measures, and put in place disaster response mechanisms through setting up national food security reserves to deal with shocks.

ⁱ WFP and Other Agencies (2013): Comprehensive Food Security and Vulnerability Assessment 2013.

ⁱⁱ Scaling Up Nutrition (SUN) 2011: Uganda Nutrition status Highlights. In Uganda

ⁱⁱⁱ August rapid crop and food security assessment conducted by the Ministry of Agriculture, Animal Industry and Fisheries, World Food Program and the UN Food and Agricultural Organization (FAO) (2014).

^{iv} UNDP (2010): Uganda MDG Report September 2010.

^v UNDP (2013): Uganda MDG Report 2013.

^{vi} GoU (2015): Approved estimates of Revenue and Expenditure (Recurrent and Development) FY 2015/2016, Vol 1 for the year ending 30th June 2016.

^{vii} The 1995 Constitution of the Republic of Uganda.

Appendix 1: List of Organizations in the Cluster on the Right to Food.

1. Hunger Fighters Uganda (HFU)
2. Human Rights Network (HURINET)
3. Initiative for Social and Cultural Rights (ISER)
4. Initiative for Better Health (IBH-Uganda)
5. Real Agency for Community Development (RCD)
6. Bugiri NGO Forum network (BUNNGOF)
7. Food Talk Uganda (FOTU)
8. Makerere Women Development Association (MAWDA)
9. Child Nutrition Youth Coalition Uganda
10. Helping the Crying Voices (HCV)
11. Association of Human Rights Organizations (AHURIO)
12. Lubanga Twero Widows and Orphans Care
13. Busia Children and Youth Outreach Ministry,
14. Arise Christian Against Vulnerably,
15. Tukwatirewamu Kyomya Development Association,
16. Hear International (HI)
17. Centre for Participatory Research and Development (CEPARD)